



500.61 Checkpoints

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POLICY

Hendry County Sheriff's Office provides operational guidelines for conducting Comprehensive Roadside Safety Checkpoints. The Hendry County Sheriff's Office will effectively enforce driver's license and motor vehicle laws.

PROCEDURE

- A. Any procedure used by the Hendry County Sheriff's Office members in conducting Checkpoints should be measured against the following considerations and priorities:
 - 1. Enhancement of deputy and motorist safety.
 - 2. Avoidance of undue inconvenience to the public.
 - 3. The deterrent effect created by the roadside safety check.
- B. Responsibilities
 - 1. The district commander will be responsible for:
 - a. Approving in advance, in writing, checkpoint operational plans, which must include dates, timeframe, and location of the checkpoint.
 - b. Ensuring that local state attorneys and chief administrative judges are periodically consulted regarding the planned operations to identify any legally mandated requirements for conducting checkpoints and the prosecution of cases arising from the checkpoints.
 - 2. District commanders will be responsible for designating a supervisor to serve as checkpoint officer in charge to ensure that the checkpoint is conducted in accordance with this policy.
 - 3. The checkpoint officer in charge will be responsible for preparing the operational plan and overseeing the operations of the checkpoint.
 - 4. The public information officer will prepare the appropriate press releases and ensure the release is distributed and the media is notified of the checkpoint.
 - a. The public information officer will collect and maintain a file of the media notification documentation.
 - b. Media notification will be coordinated with other participating agencies.
- C. Selection of a Location to Conduct a Checkpoint.
 - 1. The district commander or his designee will approve in writing the location and time of the checkpoint. The time of a checkpoint will not interfere with commuter rush hour traffic.

2. The location to be used as a checkpoint site will fulfill certain minimum requirements as follows:
 - a. The frequency of traffic violations or traffic crashes will be a primary consideration in determining the general location of the checkpoint.
 - b. Adequate safety and visibility to oncoming motorists.
 - c. Ample room for police and subject vehicles.
 - d. Availability of a secondary screening area.
 - e. Freedom from business and residential driveways, alleys, and intersecting streets or highways that may be impacted by the operation.
 - f. The roadway and parking areas should be well-drained.
 - g. Freedom from obvious hazards on the highway.
 - h. Adequate advance warning signs and sufficient lighting to ensure motorist and member safety.

D. The Operational Plan

1. The operational plan will be completed and submitted to the district commander no less than 10 days prior to the start of the checkpoint. The operational plan will contain at a minimum the following:
 - a. Purpose
 - b. Objectives
 - c. Operational time-line
 - d. Specific job assignments
 - e. Job descriptions
 - f. Equipment list
 - g. Manpower allocation
 - h. Contingency plan
 - i. Alternate scheduling date
 - j. Provisions for an after action report/critique
 - k. Approval/disapproval section with a space for the district commander's signature
2. Each operational plan for a checkpoint will specify the techniques to be used (i.e., driver license inspection, registration inspection, vehicle equipment inspection, sobriety inspection, motorist insurance inspection or a combination thereof). The purpose and procedures of the safety check will be uniformly applied during the operation.
3. Assigned deputies do not have the authority to change the operational plan. Deputy discretion will not be used in adjusting the plan with the exception of the safety check supervisor who will document the reason(s) for any adjustments.

E. General Checkpoint Procedures

1. The selection of vehicles to be stopped (e.g., every vehicle, every fifth, tenth or fifteenth vehicle) will be prescribed and uniformly applied during the operation.
2. The officer in charge will ensure that proper assistance is available to any suspect that may request an independent blood test pursuant to Florida Statutes Section 316.1932.
3. A driver's effort to avoid a checkpoint is not sufficient to justify the stopping of a vehicle. Probable cause or reasonable suspicion of criminal activity or other traffic related violations must occur in order to warrant the stopping of a vehicle.
4. The officer in charge and all other personnel and equipment will be in the proper place and ready to proceed before the first subject vehicle is stopped.

F. Traffic Direction

1. At the scene of a checkpoint, traffic will be directed by using appropriate procedures as follows:
 - a. Barricade and sign placement and any necessary lane closures are to be in accordance with state and/or local transportation department procedures (refer to FDOT's Roadway and Traffic Design Standards manual).
 - b. A checkpoint will be conducted only when manpower is available to reasonably ensure efficient operation with member and motorist safety first in mind.
 - c. Uniformed members and official vehicles will be in sufficient quantity and visibility to show the presence of legal authority.

G. Presence of Supervision

1. A detail supervisor will be designated by the checkpoint officer in charge and will be present on the scene to oversee operations and ensure that all deputies at the scene follow checkpoint procedures. Should it be necessary for the detail supervisor to leave the scene, the checkpoint officer in charge will designate another supervisor.

H. Public Relations

1. It is important for members conducting the checkpoint to be extremely courteous to motorists to minimize any inconvenience or displeasure that they may experience from this operation.

I. Inspection Procedures

1. The checking procedure will be thorough but with a minimum delay to motorists:
 - a. The purpose and procedures of the specific checkpoint must be consistently applied to all vehicles detained.
 - b. Deputies will advise each driver who is stopped at the checkpoint of the purpose for the stop. All vehicle stops will involve only the minimum detention necessary to accomplish the checkpoint.
 - c. Unless the driver's license check is a designated part of the safety check procedure, members are not to request to see a driver's license. However, if the driver offers the license to a member it may be reviewed. A driver's license that appears valid on its face will be considered as prima facie proof that the driver is in compliance with the Florida driver licensing laws.
 - d. Deputies conducting a driver's license checkpoint will request the driver's license and vehicle registration from each driver.
 - e. Deputies conducting a vehicle inspection checkpoint will request the driver's license and vehicle registration from each driver. Deputies will inspect the following equipment on the vehicle for violations of Florida Statutes Chapter 316:
 1. Horn
 2. Windshield wipers
 3. Tail lamps
 4. Directional signals (required on all vehicles manufactured after 01/01/1972)
 5. Stop lamps (one on each side required on all vehicles manufactured after 01/01/1972)
 6. License plate lamp

7. Headlamps
 8. Tires
 9. Exhaust system
- f. If the driver is also the owner or registrant of the vehicle, as shown by a comparison of the vehicle registration certificate with the operator's license, the member may require the driver to display proof of insurance which will include a uniform proof of insurance card, a valid insurance policy, insurance policy binder or a certificate of insurance (proof of self insurance).
 - g. License plates will be inspected to determine whether they are current.
 - h. A check of FCIC/NCIC and the department driver's license files will not be made unless the member has reasonable suspicion to believe that a violation has been or is being committed.
 - i. If the member has at least reasonable suspicion that a driver is in violation of the laws, the driver will be directed to a secondary screening area and appropriate enforcement action will be taken. Vehicle registration and proof of insurance will be required.
 - j. Any case arising from use of the authority afforded by the statutes will be judged on its own merit. If the member detects a violation or acquires probable cause to believe an offense has been committed or observes contraband in plain sight, appropriate enforcement action will be taken.
 - k. The member will listen for speech difficulties and look for other signs that might indicate driver impairment such as bloodshot eyes, the odor of alcoholic beverages, and lack of coordination.
 - l. The member or an assisting member should observe the vehicle for any equipment violations.
 - m. Traffic will not be allowed to accumulate. If traffic congestion occurs and a significant delay to motorists results, vehicles should be allowed to proceed through without checking until the congestion is cleared. All traffic congestion that results in allowing vehicles to proceed without checking will be documented in the checkpoint's After Action Report.
- J. Assistance By Other Agencies
1. Prior to the implementation of a checkpoint, the district commander or his designee should notify appropriate local law enforcement agencies of the planned operation and invite them to participate. Only local agencies having jurisdiction or a mutual aid agreement that provides its officers with jurisdiction at the checkpoint location should be invited to participate. Any local law enforcement agency that wishes to assist the Hendry County Sheriff's Office in a checkpoint will be required to adhere to this policy.
- K. Post-Detail Requirements
1. At the conclusion of the detail, the officer in charge will complete a checkpoint After Action Report, and submit it through the chain of command to the Sheriff.

DEFINITIONS

Checkpoint – A place where people, cars, trucks, etc., are stopped for a specific predetermined reason, in a predetermined, publically announced location and by a predetermined method by law enforcement officers before being allowed to continue.

REFERENCES

State/Federal Regulations:

Florida Statutes 316

Florida Statutes 316.1932

CFA:

None

Forms:

None

Other Policy/ Procedure References:

None